

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

3 SOUTH FERRY LP #2, individually and )  
4 on behalf of all others similarly situated, )

5 Plaintiff, )

6 vs. )

7 KERRY K. KILLINGER, *et al.*, )

8 Defendants. )

Case No. C04-1599-JCC

**AFFIDAVIT OF PAUL J.  
ANDREJKOVICS RE:  
PUBLICATION OF THE SUMMARY  
NOTICE OF PROPOSED  
SETTLEMENT OF CLASS ACTION  
AND SETTLEMENT HEARING**

9  
10 STATE OF NEW YORK )

11 ) ss.:  
12 COUNTY OF NEW YORK )

13  
14 PAUL J. ANDREJKOVICS, being first duly sworn, deposes and says:

15 I am a member of the law firm of Milberg LLP, one of Plaintiffs' Co-Lead Counsel in the above-  
16 captioned class action (the "Action"). I submit this affidavit in order to provide the Court and the  
17 parties to the Action with information regarding the publication of a summary notice  
18 substantially in the form approved by the Court (the "Publication Notice"). I have personal  
19 knowledge of the facts stated herein.

20 1. The Court's Preliminary Order for Notice and Hearing in Connection with  
21 Settlement Proceedings, dated December 2, 2011, directed that the Publication Notice be  
22 published in the global edition of *The Wall Street Journal* and to be transmitted over the Global  
23 Media Circuit of *Business Wire*. As shown in the affidavit of publication attached hereto as  
24 Exhibit 1, the Publication Notice was published in the global edition of *The Wall Street Journal*  
25  
26  
27  
28

1 on February 24, 2012. As shown in the order summary attached hereto as Exhibit 2, a release  
2 was issued over the Global Media Circuit of *Business Wire* on February 24, 2012 at 6:30 AM US  
3 Eastern Time Zone.

4   
Paul J. Andrejkovics

5 Sworn to before me this  
6 ~~4th~~ day of April, 2012

7   
Notary Public

8 **DAVID LEIFER**  
9 Notary Public, State of New York  
No. 01 LE6161665  
10 Qualified in Kings County  
Commission Expires 05/04/2015

**EXHIBIT 1**

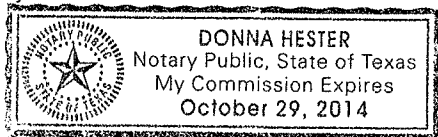
**Supplementary Materials:**

and that the foregoing statements are true and correct to the best of my knowledge.

*[Handwritten signature]*

Sworn to before me this  
27 day of February 2012

Dennis H. Liu  
Notary Public



UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SOUTH FERRY LP #2,  
individually and on behalf of all  
others similarly situated,  
Plaintiff,

vs.

KERRY K. KILLINGER, *et al.*,  
Defendants.

Case No. C04-1599 JCC  
SUMMARY NOTICE OF  
PENDENCY OF CLASS  
ACTION, PROPOSED  
SETTLEMENT, AND  
SETTLEMENT HEARING

TO: ALL PERSONS WHO PURCHASED THE COMMON  
STOCK OF WASHINGTON MUTUAL, INC. BETWEEN  
APRIL 15, 2003 AND JUNE 28, 2004, INCLUSIVE, AND  
WHO WERE DAMAGED THEREBY (THE "CLASS").

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the  
Federal Rules of Civil Procedure and an Order of the Court, that the  
above-captioned Action has been certified as a class action and that  
a Settlement for \$41.5 million in cash has been proposed. A hearing  
will be held before The Honorable John C. Coughenour in the U.S.  
Courthouse, 700 Stewart Street, Seattle, Washington 98101, at 9:30  
a.m., on June 5, 2012 to determine whether the proposed Settlement  
should be approved by the Court as fair, reasonable, and adequate,  
and to consider the application of Plaintiffs' Counsel for attorneys'  
fees and reimbursement of expenses.

IF YOU ARE A MEMBER OF THE CLASS DESCRIBED  
ABOVE, YOUR RIGHTS WILL BE AFFECTED AND YOU MAY  
BE ENTITLED TO SHARE IN THE NET SETTLEMENT FUND.  
If you have not yet received the full printed Notice of Pendency of  
Class Action and Proposed Settlement, Motion for Attorneys' Fees,  
and Settlement Fairness Hearing and a Proof of Claim form, you  
may obtain copies of these documents by contacting the Claims  
Administrator:

WaMu 2004 Common Stock Litigation  
c/o Rust Consulting, Inc.  
Claims Administrator  
Post Office Box 2493  
Faribault, MN 55021-9193  
(877) 310-0495

[www.WaMu2004CommonStockLitigation.com](http://www.WaMu2004CommonStockLitigation.com)

Inquiries, other than requests for the forms of Notice and Proof of  
Claim, may be made to Plaintiffs' Co-Lead Counsel:

Lori G. Feldman  
Milberg LLP  
One Penn Plaza  
New York, NY 10119-0165  
(212) 594-5300

William H. Narwold  
Motley Rice LLC  
One Corporate Center  
20 Church Street, 17th Floor  
Hartford, CT 06103  
(860) 882-1681

To participate in the Settlement, you must submit a Proof of Claim  
no later than July 2, 2012. If you are a Class Member and do not  
exclude yourself from the Class, you will be permanently bound by  
the Court's Final Judgment and Order of Dismissal with Prejudice.  
To exclude yourself from the Class, you must submit a request for  
exclusion postmarked no later than May 4, 2012. Any objections to  
the Settlement must be filed by May 4, 2012. If you are a Class Mem-  
ber and do not submit a proper Proof of Claim, you will not share in  
the Settlement but you nevertheless will be permanently bound by  
the Court's Final Judgment and Order of Dismissal with Prejudice.  
Further information may be obtained by contacting the Claims  
Administrator at (877) 310-0495.

By Order of The Court

**EXHIBIT 2**



February 24, 2012 06:30 AM Eastern Time

## **Milberg LLP and Motley Rice LLC Announce the Proposed Settlement of a Securities Class Action Lawsuit Involving Washington Mutual, Inc. Common Stock Purchased between April 15, 2003 and June 28, 2004, Inclusive**

NEW YORK--(BUSINESS WIRE)--In the United States District Court for the Western District of Washington at Seattle, in *South Ferry LP #2 v. Kerry K. Killinger, et al.*, Case No. C04-1599-JCC, a summary notice has been issued as follows:

### **Summary Notice of Pendency of Class Action, Proposed Settlement and Settlement Hearing**

TO: All persons who purchased the common stock of Washington Mutual, Inc. between April 15, 2003 and June 28, 2004, inclusive, and who were damaged thereby (the "Class").

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the Court, that the above-captioned Action has been certified as a class action and that a Settlement for \$41.5 million in cash has been proposed. A hearing will be held before The Honorable John C. Coughenour in the U.S. Courthouse, 700 Stewart Street, Seattle, Washington 98101, at **9:30 a.m.**, on **June 5, 2012** to determine whether the proposed Settlement should be approved by the Court as fair, reasonable, and adequate, and to consider the application of Plaintiffs' Counsel for attorneys' fees and reimbursement of expenses.

IF YOU ARE A MEMBER OF THE CLASS DESCRIBED ABOVE, YOUR RIGHTS WILL BE AFFECTED AND YOU MAY BE ENTITLED TO SHARE IN THE NET SETTLEMENT FUND. If you have not yet received the full printed Notice of Pendency of Class Action and Proposed Settlement, Motion for Attorneys' Fees, and Settlement Fairness Hearing and a Proof of Claim form, you may obtain copies of these documents by contacting the Claims Administrator:

WaMu 2004 Common Stock Litigation  
c/o Rust Consulting, Inc., Claims Administrator  
Post Office Box 2493  
Faribault, MN 55021-9193  
(877) 310-0495  
**[www.WaMu2004CommonStockLitigation.com](http://www.WaMu2004CommonStockLitigation.com)**

Inquiries, other than requests for the forms of Notice and Proof of Claim, may be made to Plaintiffs' Co-Lead Counsel: Lori G. Feldman, Milberg LLP, One Penn Plaza, New York, NY 10119-0165, Telephone: (212) 594-5300 or William H. Narwold, Motley Rice LLC, One Corporate Center, 20 Church Street, 17th Floor, Hartford, CT 06103, Telephone: (860) 882-1681.

To participate in the Settlement, you must submit a Proof of Claim no later than **July 2, 2012**. If you are a Class Member and do not exclude yourself from the Class, you will be permanently bound by the Court's Final

Judgment and Order of Dismissal with Prejudice. To exclude yourself from the Class, you must submit a request for exclusion postmarked no later than **May 4, 2012**. Any objections to the Settlement must be filed by **May 4, 2012**. If you are a Class Member and do not submit a proper Proof of Claim, you will not share in the Settlement but you nevertheless will be permanently bound by the Court's Final Judgment and Order of Dismissal with Prejudice.

Further information may be obtained by contacting the Claims Administrator at (877) 310-0495.

By Order of The United States District Court for the Western District of Washington at Seattle

## **Contacts**

Milberg LLP  
Lori G. Feldman, Esq., 212-594-5300  
or  
Motley Rice LLC  
William H. Narwold, Esq., 860-882-1681

